

LAW OFFICE OF GREGORY JAVARDIAN, LLC

By Mary F. Kennedy, Esquire

Attorney I.D. # 77149

1310 Industrial Blvd.

1st Floor, Suite 101

Southampton, PA 18966

(215) 942-9690

Attorney for Citizens Bank, N.A.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Joseph P. Magarity, Sr.

Debtor(s)

Chapter 13 Proceeding

16-16673 AMC

**STIPULATION BY AND BETWEEN JOSEPH P. MAGARITY, SR. AND CITIZENS
BANK, N.A.**

WHEREAS, the parties hereto, and their respective counsel, have agreed as to the disposition of the Motion for Relief from the Automatic Stay filed by Mary F. Kennedy on behalf of mortgagee, Citizens Bank, N.A. ("Movant").

NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

1. Movant is a mortgagee and holder of a perfected, secured claim against the Debtor pursuant to a Note and Mortgage on Debtor's real estate known as at 119 Manor Drive, Lansdale, PA 19446 ("the property").
2. Upon approval by the United States Bankruptcy Court of the within Stipulation, Debtor and secured creditor, Citizens Bank, N.A., agree to the following:

(a) At the time the Motion for Relief from Stay was filed the following taxes were due on the property:


2016 County Taxes in the amount of \$1,796.90, and

2016 School Taxes in the amount of \$8,570.14.

- (b) Within thirty (30) days of the Court's approval of this Stipulation Debtor(s) shall amend his Plan to add the 2016 property taxes to the amount(s) to be paid through the Plan.**
- (c) Debtor(s) shall pay all real estate taxes on the property as they become due.**
- (d) During the pendency of this bankruptcy Debtor(s) shall provide Movant with proof that the yearly taxes on the property have been paid. This requirement shall begin with the 2017 tax year.**
- (e) The Debtor(s) shall comply with all conditions in accordance with this Stipulation. If such conditions are not timely met, Movant may provide the Debtor(s) and their counsel with fifteen (15) days written notice of default. If the default is not cured within the fifteen (15) day period, Movant may certify the default to this Court and relist a hearing on the Motion for Relief from Stay.**
- (f) The provisions of the Stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this Stipulation, including fees and costs, due under the terms of the mortgage and applicable law.**

(g) The parties agree that a facsimile may be submitted to the Court as if it were
an original.

STIPULATED AND AGREED TO BY:




David M. Klauder, Esquire
Attorney for Debtor, Joseph P. Magarity, Sr.

Date: 1/26/17



Mary F. Kennedy, Esquire
Attorney for Citizens Bank, N.A.

Date: 1/27/2017



William C. Miller, Esquire
Trustee JACK MILLER

Date: 1-27-17

On this ____ day of _____, 2017, approved by the Court.

United States Bankruptcy Judge
Ashely M. Chun

cc: Mary F. Kennedy, Esquire
1310 Industrial Blvd.
1st Floor, Suite 101
Southampton, PA 18966

David M. Klauder, Esquire
Bielli & Klauder, LLC
1204 N. King Street
Wilmington, DE 19801

William C. Miller, Esquire
1234 Market Street
Suite 1813
Philadelphia, PA 19107